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Attorneys for Defendant and Counterclaimant
 SENORX, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

HOLOGIC, INC., CYTIC CORPORATION
 and HOLOGIC L.P.,

Plaintiffs,

v.

SENORX, INC.,

Defendant.

AND RELATED COUNTERCLAIMS

CASE NO.: C08-0133 RMW (RS)

**CIVIL LOCAL RULE 79-5(B) AND
 (C) ADMINISTRATIVE MOTION
 TO FILE UNDER SEAL
 CONFIDENTIAL VERSION OF
 DEFENDANT SENORX, INC.'S
 REPLY IN SUPPORT OF MOTION
 FOR PARTIAL SUMMARY
 JUDGMENT OF INVALIDITY AND
 EXHIBIT 3 TO THE DECLARATION
 OF ADAM D. HARBER IN SUPPORT
 OF DEFENDANT SENORX, INC.'S
 REPLY IN SUPPORT OF ITS
 MOTION FOR PARTIAL
 SUMMARY JUDGMENT OF
 INVALIDITY**

Date: June 25, 2008
 Time: 2:00 p.m.
 Ct. Rm: Courtroom 6, 4th Floor
 Judge: Hon. Ronald M. Whyte

PLEASE TAKE NOTICE that pursuant to Civil Local Rule 79-5(b) and (c), Defendant SenoRx, Inc. ("SenoRx") hereby moves the Court for an order to file under seal (1) the confidential version of Defendant SenoRx, Inc.'s Reply in Support of its Motion for Partial Summary Judgment for Invalidity ("Invalidity Reply Brief"), and (2) Exhibit 3 to the Declaration of Adam D. Harber in Support of Defendant SenoRx, Inc.'s Reply in Support of its Motion for Partial Summary Judgment of Invalidity.

SenoRx brings this motion because portions of its Invalidity Reply Brief contain the confidential business information of SenoRx and technical information Plaintiffs have designated as confidential. In addition, Exhibit 3 appears to contain the confidential technical information of Plaintiffs.

A protective order governing how confidential and proprietary information produced during the case shall be treated by the parties has been entered in this case [Docket No. 154]. In accordance with that protective order and in compliance with Civil Local Rule 79-5(b) and (c), SenoRx seeks to withhold the foregoing information designated under the protective order from the public versions of its papers. In compliance with Civil Local Rule 79-5(c), SenoRx has created confidential and non-confidential versions of its Invalidity Reply Brief.

For the foregoing reasons, SenoRx respectfully requests that the Court enter an order allowing SenoRx to file under seal select confidential portions of Defendant SenoRx, Inc.'s Reply in Support of its Motion for Partial Summary Judgment of Invalidity.

Dated: June 11, 2008

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: s/Natalie J. Morgan

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Attorneys for Defendant and Counterclaimant
SENORX, INC.

CERTIFICATE OF SERVICE

U.S. District Court, Northern District of California,
Hologic, Inc. et al. v. SenoRx, Inc.
Case No. C-08-0133 RMW (RS)

I, Janice Wright, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of San Diego, California. I am over the age of 18 years and not a party to the within action. My business address is 12235 El Camino Real, Suite. 200, San Diego, CA, 92130.

On June 11, 2008, I served a copy(ies) of the following document(s):

CIVIL LOCAL RULE 79-5(B) AND (C) ADMINISTRATIVE MOTION TO FILE UNDER SEAL CONFIDENTIAL VERSION OF DEFENDANT SENORX, INC.'S REPLY IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT OF INVALIDITY AND EXHIBIT 3 TO THE DECLARATION OF ADAM D. HARBER IN SUPPORT OF DEFENDANT SENORX, INC.'S REPLY IN SUPPORT OF ITS MOTION FOR PARTIAL SUMMARY JUDGMENT OF INVALIDITY

DECLARATION OF NATALIE J. MORGAN IN SUPPORT OF CIVIL LOCAL RULE 79-5(B) AND (C) ADMINISTRATIVE MOTION TO FILE UNDER SEAL CONFIDENTIAL VERSION OF DEFENDANT SENORX, INC.'S REPLY IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT OF INVALIDITY AND EXHIBIT 3 TO THE DECLARATION OF ADAM D. HARBER IN SUPPORT OF DEFENDANT SENORX, INC.'S REPLY IN SUPPORT OF ITS MOTION FOR PARTIAL SUMMARY JUDGMENT OF INVALIDITY

[PROPOSED] ORDER GRANTING SENORX'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL CONFIDENTIAL VERSION OF DEFENDANT SENORX, INC.'S REPLY IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT OF INVALIDITY

[FILED UNDER SEAL] CONFIDENTIAL VERSION OF DEFENDANT SENORX, INC.'S REPLY IN SUPPORT OF ITS MOTION FOR PARTIAL SUMMARY JUDGMENT OF INVALIDITY

[FILED UNDER SEAL] CONFIDENTIAL EXHIBIT 3 TO THE DECLARATION OF ADAM D. HARBER IN SUPPORT OF DEFENDANT SENORX, INC.'S REPLY IN SUPPORT OF ITS MOTION FOR PARTIAL SUMMARY JUDGMENT OF INVALIDITY

on the parties to this action by placing them in a sealed envelope(s) addressed as follows:

Henry C. Su (suh@howrey.com)
Katharine L. Altemus (altemusk@howrey.com)
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1950 University Avenue, 4th Floor
East Palo Alto, CA 94303
Telephone: (650) 798-3500
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Attorneys for Plaintiffs
HOLOGIC, INC. CYTYC
CORPORATION and
HOLOGIC LP

Matthew Wolf (wolfm@howrey.com)

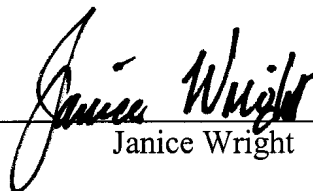
Attorneys for Plaintiffs

Marc Cohn (cohnm@howrey.com)
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Washington, DC 20004
Telephone: (202) 783-0800
Facsimile: (202) 383-6610

HOLOGIC, INC. CYTYC
CORPORATION and
HOLOGIC LP

- ☒ (BY MAIL) I placed the sealed envelope(s) for collection and mailing by following the ordinary business practices of Wilson Sonsini Goodrich & Rosati, 12235 El Camino Real, Ste. 200, San Diego, CA. I am readily familiar with WSGR's practice for collecting and processing of correspondence for mailing with the United States Postal Service, said practice being that, in the ordinary course of business, correspondence with postage fully prepaid is deposited with the United States Postal Service the same day as it is placed for collection.
- ☒ (BY ELECTRONIC MAIL) I caused such document(s) to be sent via electronic mail (email) to the above listed names and email addresses.
- ☐ (BY CM/ECF) I caused such document(s) to be sent via electronic mail through the Case Management/Electronic Case File system with the U.S. District Court for the Northern District of California.

I declare under penalty of perjury under the laws of the United States that the above is true and correct, and that this declaration was executed on June 11, 2008.


Janice Wright

F.T. Alexandra Mahaney, State Bar No. 125984
 Natalie J. Morgan, State Bar No. 211143
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Attorneys for Defendant and Counterclaimant
 SENORX, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

HOLOGIC, INC., CYTIC CORPORATION
 and HOLOGIC L.P.,

Plaintiffs,

v.

SENORX, INC.,

Defendant.

CASE NO.: C08-0133 RMW (RS)

**DECLARATION OF NATALIE J.
 MORGAN PURSUANT TO CIVIL
 LOCAL RULE 79-5(D) IN SUPPORT OF
 PLAINTIFFS' ADMINISTRATIVE
 MOTION TO FILE UNDER SEAL
 CONFIDENTIAL VERSION OF
 DEFENDANT SENORX, INC.'S REPLY
 IN SUPPORT OF MOTION FOR
 PARTIAL SUMMARY JUDGMENT OF
 INVALIDITY AND EXHIBIT 3 TO THE
 DECLARATION OF ADAM D. HARBER
 IN SUPPORT OF ITS MOTION FOR
 PARTIAL SUMMARY JUDGMENT OF
 INVALIDITY**

AND RELATED COUNTERCLAIMS

Date: June 25, 2008
 Time: 2:00 p.m.
 Ct. Rm: Courtroom 6, 4th Floor
 Judge: Hon. Ronald M. Whyte

DECLARATION OF NATALIE J. MORGAN ISO
 PLAINTIFFS' ADMIN. MOTION TO FILE UNDER SEAL
 SENORX'S REPLY IN SUPPORT OF MOTION FOR
 PARTIAL SUMMARY JUDGMENT FOR INVALIDITY

CASE NO. C08-0133 RMW (RS)
 3380368_1.DOC

1 I, Natalie J. Morgan, declare as follows:

2 1. I am an associate at the law firm Wilson Sonsini Goodrich & Rosati and a
3 member of the Bar of this court, and I serve as one of the outside counsel for Defendant and
4 Counterclaimant SenoRx, Inc. ("SenoRx"). The following declaration is based on my personal
5 knowledge, and if called upon to testify, I could and would competently testify as to the matters
6 set forth herein.

7 2. Pursuant to Civil L.R. 79-5(b) and (c), the information contained herein is
8 submitted in support of Plaintiffs' Administrative Motion to File Under Seal the Confidential
9 Version of Defendant SenoRx, Inc.'s Reply in Support of Motion for Partial Summary Judgment
10 of Invalidity and Exhibit 3 to the Declaration of Adam D. Harber in Support of Defendant
11 SenoRx, Inc.'s Reply in Support of its Motion for Partial Summary Judgment of Invalidity.

12 3. The confidential version of Defendant SenoRx, Inc.'s Reply in Support of Motion
13 for Partial Summary Judgment of Invalidity contains the confidential business information of
14 SenoRx and technical information Plaintiffs have designated as confidential. The distribution to
15 the general public of such information could cause harm to SenoRx.

16 4. Exhibit 3 (excerpts from the transcript of the deposition of Timothy J. Patrick)
17 was produced during the course of discovery in this case and appears to contain the confidential
18 technical information of Plaintiffs.

19 I declare under penalty of perjury that the foregoing is true and correct.

20 Dated: June 11, 2008

By: s/Natalie J. Morgan
Natalie J. Morgan

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

HOLOGIC, INC., CYTIC CORPORATION and
HOLOGIC L.P.,

Plaintiffs,

v.

SENORX, INC.,

Defendant.

AND RELATED COUNTERCLAIMS

CASE NO.: C08-0133 RMW (RS)

**[PROPOSED] ORDER GRANTING
SENORX'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
CONFIDENTIAL VERSION OF
DEFENDANT SENORX, INC.'S
REPLY IN SUPPORT OF MOTION
FOR PARTIAL SUMMARY
JUDGMENT OF INVALIDITY**

1 The Court, having considered Defendant SenoRx, Inc.'s ("SenoRx") Motion To File
2 Under Seal The Confidential Portions of Defendant SenoRx, Inc.'s Reply in Support of Motion
3 for Partial Summary Judgment of Invalidity, finds that good cause exists pursuant to Civil Local
4 Rule 79-5 for the Motion and hereby orders that the Motion is GRANTED in its entirety.

5 The clerk shall maintain the confidential portions of Defendant SenoRx, Inc.'s Reply in
6 Support of Motion for Summary Judgment of Invalidity under seal.

7 It is SO ORDERED

8
9 Dated: _____, 2008

By: _____
Honorable Ronald M. Whyte
United States District Court Judge

F.T. Alexandra Mahaney, State Bar No. 125984
Natalie J. Morgan, State Bar No. 211143
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NORTHERN DISTRICT OF CALIFORNIA
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HOLOGIC, INC., CYTIC CORPORATION and
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v.

SENORX, INC.,

Defendant.

AND RELATED COUNTERCLAIMS

CASE NO.: C08-0133 RMW (RS)

**DEFENDANT AND COUNTER
CLAIMANT SENORX, INC.'S
NOTICE OF MANUAL FILING**

Date: June 25, 2008
Time: 2:00 p.m.
Ct. Rm: Courtroom 6, 4th Floor
Judge: Hon. Ronald M. Whyte

Regarding: Confidential version of Defendant SenoRx, Inc.'s Reply in Support of Motion for Partial Summary Judgment of Invalidity and Exhibit 3 to the Declaration of Adam D. Harber in Support of Defendant SenoRx, Inc.'s Reply in Support of its Motion for Partial Summary Judgment of Invalidity; and

Regarding: Confidential version of Defendant SenoRx, Inc.'s Reply in Support of Motion for Partial Summary Judgment of Non-Infringement and Exhibits 6 and 7 to the Declaration of Adam D. Harber in Support of Defendant SenoRx, Inc.'s Reply in Support of its Motion for Partial Summary Judgment of Non-Infringement.

These filings are in paper or physical form only, and are being maintained in the case file in the Clerk's office. If you are a participant in this case, these filings will be served in hard-copy shortly. For information on retrieving these filings directly from the court, please see the court's main web site at <http://www.cand.uscourts.gov> under Frequently Asked Questions (FAQ).

These filings were not e-filed for the following reason(s):

☒ Item(s) Under Seal

Respectfully submitted,

Dated: June 11, 2008

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: s/Natalie J. Morgan

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I, Janice Wright, declare:

I am and was at the time of the service mentioned in this declaration, employed in the County of San Diego, California. I am over the age of 18 years and not a party to the within action. My business address is 12235 El Camino Real, Ste. 200, San Diego, CA, 92130.

On June 11, 2008, I served copies of the following document: **DEFENDANT AND COUNTERCLAIMANT SENORX, INC.'S NOTICE OF MANUAL FILING** on the parties to this action by placing them in a sealed envelope(s) addressed as follows:

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Janice Wright